

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPEAL BRIEF**

This Appeal Brief is in furtherance of the Notice of Appeal filed on August 9, 2010. The Appeal Brief contains the following sections in the order set forth below:

- I. REAL PARTY IN INTEREST
- II. RELATED APPEALS AND INTERFERENCES
- III. STATUS OF CLAIMS
- IV. STATUS OF AMENDMENTS
- V. SUMMARY OF THE CLAIMED SUBJECT MATTER
- VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL
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- VIII. CLAIMS APPENDIX
- IX. EVIDENCE APPENDIX
- X. RELATED PROCEEDINGS APPENDIX

**I. REAL PARTY IN INTEREST**

The real party in interest in this appeal is STUBHUB, INC., as the Assignee of record.

**II. RELATED APPEALS AND INTERFERENCES**

There are no other appeals or interferences that will directly affect, or be affected by, or have a bearing on the decision of the Board in the pending appeal.

**III. STATUS OF CLAIMS**

Claims originally filed: 1-43

Claims canceled: None

Claims withdrawn from consideration: None

Claims allowed: None

Claims objected to: None

Claims rejected: 1-43

Claims on appeal: 1-43

**IV. STATUS OF AMENDMENTS**

No amendments have been made after the office action dated March 9, 2010.

**V. SUMMARY OF THE CLAIMED SUBJECT MATTER**

The following is a concise explanation of the subject matter defined in each of independent claims 1, 12, 25, 36, and 40 involved in the appeal, referring to the specification by page and line number, and to the drawings by reference characters.

Support for the claimed subject matter defined in independent claim 1 is found at least in the portions of the specification and drawings as follows.

Claim 1	Specification and Drawings
<p>A system for providing logistics for a sale of one or more goods, said system:</p>	<p>The present invention provides a system and method for providing logistics for the sale and purchase of goods, such as event tickets. In the preferred embodiment, the system and method are implemented on a global communications or computer network. Particularly, the system and method may comprise a "Web site," that may be implemented by at least one computer system or network (e.g., a plurality of cooperatively linked computers) that is operatively and communicatively coupled to a global computer network (e.g., the Internet) and that may be selectively and remotely accessed by users of the network. <b>Page 9, lines 11-17.</b></p> <p>FIG. 1 shows a system 10 which is implemented on a global communications or computer network 20 (e.g., the Internet), in accordance with the present invention. System 10 may represent a conventional and commercially available computer system or an independent microprocessor-based system built specifically for use with the present invention. <b>Page 10, lines 3-6 and FIG. 1.</b></p>
<p>receiving information from a remote seller, the information from said remote seller providing a description of said one or more goods, a price of said one or more goods, and a geographic location of said one or more goods;</p>	<p>In functional block or step 32, system 10 receives information from sellers regarding the identity of the sellers, and a description and location of the goods that the sellers desire to sell. In the preferred embodiment of the invention, the data can be communicated over a global computer network 20 by prospective sellers who are selectively queried by system 10 (e.g., while visiting a Web site), and who transmit appropriate responses by use of a computer 22. <b>Page 11, line 20 - Page 12, line 2 and FIGS. 1 and 2.</b></p> <p>FIGS. 6-14 illustrate some examples of queries and interactive "pages" (i.e., Web pages where users may view and enter data by use of conventional browsing software) that may be</p>

	<p>presented by system 10 in order to gather information from prospective sellers of event tickets. <b>Page 12, lines 3 - 6 and FIGS. 6-14.</b></p> <p>Referring back to FIG. 2, the system 10 proceeds with the methodology 30 by receiving a purchase request and information from the buyer, as shown in functional block or step 36. Particularly, when a buyer desires to purchase any of the presented goods, system 10 accepts the purchase request, and queries the buyer for information (e.g., name, address, city, state, zip code, and other buyer attribute data). <b>Page 22, lines 3 – 7 and FIGS. 1 and 2.</b></p> <p>In one non-limiting embodiment, the following series of pages may be used: a seat selection page that allows a user to select which of the seats the user desires to purchase; a delivery location options page that allows a user to enter a desired location for delivery (e.g., the user's home and/or work address, or will call); a delivery method options page that allows a user to select between various shipping options (e.g., conventional land/air courier, express courier, local courier or runner, overnight delivery, second day delivery, same day delivery); a payment options page that displays the total cost (e.g., ticket and delivery cost) and allows a user to select a method of payment (e.g., the type and number of a credit or debit card); and a confirmation page that allows a user to view a summary of the foregoing information, including a description of the tickets, delivery method, delivery location, payment amount, and method of payment. <b>Page 22, line 19 – Page 23, line 8 and FIGS. 1 and 2.</b></p>
<p>obtaining from the description of said one or more goods provided by said remote seller an expiration time associated with said one or more goods and a point of last delivery;</p>	<p>System 10 also prompts the seller to enter the day and time that the sale will end. System 10 offers the seller several options (i.e., different days/times) for an end day and time for the sale, including a “last sale time” (i.e., the latest possible day and time that the sale may end, in order to permit the goods to reach their destination prior to expiration). <b>Page 16, lines</b></p>

	<p><b>3-6.</b></p> <p>System 10 queries these systems to determine which couriers can perform the delivery, and the maximum time that each courier would require to perform the delivery, based on the location of the goods and the point of last delivery. In the preferred embodiment, system 10 also communicates the day of the expiration (e.g., the day of the event) to the couriers, since certain couriers are not in service on certain days (e.g., Sundays). <b>Page 17, lines 12-16.</b></p>
<p>receiving information from a remote buyer, the information from said remote buyer providing a purchase request, a method of payment, and geographic location of the buyer;</p>	<p>Referring back to Figure 2, the system 10 proceeds with the methodology 30 by receiving a purchase request and information from the buyer, as shown in functional block or step 36. Particularly, when a buyer desires to purchase any of the presented goods, system 10 accepts the purchase request, and queries the buyer for information (e.g., name, address, city, state, zip code, and other buyer attribute data). <b>Page 22, lines 3-7.</b></p> <p>In the preferred embodiment, the system 10 presents the buyer with one or more interactive pages to obtain the necessary information. In one non-limiting embodiment, the following series of pages may be used: a seat selection page that allows a user to select which of the seats the user desires to purchase; a delivery location options page that allows a user to enter a desired location for delivery (e.g., the user's home and/or work address, or will call); a delivery method options page that allows a user to select between various shipping options (e.g., conventional land/air courier, express courier, local courier or runner, overnight delivery, second day delivery, same day delivery); a payment options page that displays the total cost (e.g., ticket and delivery cost) and allows a user to select a method of payment (e.g., the type and number of a credit or debit card); and a confirmation page that allows a user to view a summary of the foregoing information, including a description of the tickets, delivery method, delivery location,</p>

	<p>payment amount, and method of payment.  <b>Page 22, line 19 to page 23, line 8.</b></p>
<p>providing financial logistics and shipping logistics for completing said sale of said one or more goods without requiring interaction between said remote buyer and said remote seller;</p>	<p>Referring once again to FIG. 2, once the transaction has been confirmed by the buyer, system 10 proceeds with the methodology 30 by providing financial logistics, as shown in functional block or step 38, and by providing shipping logistics, as shown in functional block or step 40. <b>Page 25, lines 19 - 22 and FIGS. 1 and 2.</b></p> <p>In step 38, the system 10 automatically arranges and/or provides for all of the necessary financial logistics for the sale of goods to the buyer. In the preferred embodiment of the invention, the system 10 communicates and/or integrates with financial or payment service providers by use of global computer network 20 in order to provide the financial logistics for the sales transaction. Flow diagram 50 of FIG. 3 illustrates an example of a method of providing payment processing or financial logistics in accordance with a preferred embodiment of the invention. <b>Page 26, lines 3 - 9 and FIGS. 1-3.</b></p> <p>Referring back to FIG. 2, the system 10 proceeds to automatically arrange and/or facilitate the logistics for the delivery of goods to the buyer, as shown in step 40. In the preferred embodiment of the invention, the system 10 communicates with several couriers by use of global computer network 20 in order to provide the shipping logistics for the sales transaction. Flow diagram 70 of FIG. 4 illustrates an example of a method of providing shipping logistics in accordance with a preferred embodiment of the invention. <b>Page 27, lines 16 - 21 and FIGS. 1, 2 and 4.</b></p> <p>The present invention provides a system and method that performs all of the financial and shipping logistics without requiring any interaction between the buyer and seller. The system and method of the present invention may be implemented in a "double blind"</p>

	<p>manner to enable a third party (i.e., the operator of the system) to manage a transaction for the sale of goods between a seller and a remote buyer, including performing all necessary financial and shipping logistics, while maintaining the identity of the transacting parties (i.e., buyer and seller) confidential from one another. <b>Page 30, lines 12-18 and FIG. 5.</b></p>
<p>wherein said shipping logistics include automated variation of shipping options the permit said one or more goods to reach said remote buyer from the geographic location of said one or more goods prior to the expiration time and that are presented by said system to said remote buyer as a function of the expiration time associated with said one or more goods and a geography-based consideration determined by said system from the geographic location of said one or more goods received from said remote seller, the geographic location of said remote buyer received from said remote buyer, and the point of last delivery.</p>	<p>In the preferred embodiment, system 10 determines the available shipping options by use of a second geography and time-based strategy adapted for use with the sale of time-sensitive goods. FIG. 19 illustrates one non-limiting embodiment of a geography and time-based method or strategy 400, which may be implemented by system 10 to determine available courier and shipping options. <b>Page 23, lines 9-13 and FIG. 19.</b></p> <p>In functional block or step 410, the system 10 determines the time remaining before the goods expire (i.e., the time between the requested purchase and the "expiration time" or the day and time the goods will expire). For example, in the preferred embodiment, the system 10 obtains the time remaining by assigning a third numeric value to the present time (i.e., the time of the buyer's purchase request), and subtracting this value from the first numeric value, representing the expiration time of the goods. The result may be converted into an amount of days and/or hours in a conventional manner. <b>Page 23, lines 13-19 and FIG. 19.</b></p> <p>In functional block or step 420, system 10 receives the location of the goods (e.g., the seller's address) from the data entered by the seller. In functional block or step 430, the system 10 determines the point of last delivery (i.e., the location of the venue), and the location of the buyer (e.g., the buyer's home and/or work address) from the data entered by the buyer. <b>Page 23, lines 20 - 23 and FIG. 19.</b></p>

	<p>Finally, in functional block or step 440, system 10 obtains all shipping options, based upon the day of the goods expire, time remaining, the location of the goods, the location of the buyer, and the point of last delivery. These represent shipping options that will ensure that the goods can be delivered either to the buyer or to the point of last delivery before the goods expire. In the preferred embodiment, system 10 is electronically integrated with and/or communicatively coupled to the operating systems of a plurality of shipping couriers, such as conventional air/land couriers, express couriers, and local couriers or "runners." Alternatively, system 10 may include all relevant information, concerning the couriers' respective shipping capabilities and terms, in one or more databases or tables that can be selectively queried in order to obtain the available shipping options. System 10 queries these systems/databases to determine which couriers can execute the delivery within the time remaining before the goods expire, at which locations the deliveries can be made (e.g., at the buyer's location and/or at the point of last delivery), by which methods the couriers can perform the deliveries (e.g., two day, one day, overnight or same day delivery), and the cost of each shipping option. System 10 then presents some or all of the shipping options to the buyer. In the preferred embodiment, system 10 presents a list containing the identity of the couriers, the available shipping methods (e.g., two day, one day, overnight, same day) for each courier, and the associated cost of each shipping option.</p> <p><b>Page 24, lines 1 – 18 and FIG. 19.</b></p>
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Support for the claimed subject matter defined in independent claim 12 is found at least in the portions of the specification and drawings as follows.

Claim 12	Specification and Figures
<p>A computer system for providing logistics for a sale of one or more goods, said computer system executing a program stored in memory including computer-executable portions comprising:</p>	<p>The present invention provides a system and method for providing logistics for the sale and purchase of goods, such as event tickets. In the preferred embodiment, the system and method are implemented on a global communications or computer network. Particularly, the system and method may comprise a "Web site," that may be implemented by at least one computer system or network (e.g., a plurality of cooperatively linked computers) that is operatively and communicatively coupled to a global computer network (e.g., the Internet) and that may be selectively and remotely accessed by users of the network. <b>Page 9, lines 11-17.</b></p> <p>FIG. 1 shows a system 10 which is implemented on a global communications or computer network 20 (e.g., the Internet), in accordance with the present invention. System 10 may represent a conventional and commercially available computer system or an independent microprocessor-based system built specifically for use with the present invention. <b>Page 10, lines 3-6 and FIG. 1.</b></p>
<p>a first portion that receives information from a seller including a geographic location of said one or more goods, a desired sale price of said one or more goods, and description of said one or more goods and that obtains from said description of said one or more goods provided by said seller an expiration time associated with said one or more goods and a point of last delivery;</p>	<p>In functional block or step 32, system 10 receives information from sellers regarding the identity of the sellers, and a description and location of the goods that the sellers desire to sell. In the preferred embodiment of the invention, the data can be communicated over a global computer network 20 by prospective sellers who are selectively queried by system 10 (e.g., while visiting a Web site), and who transmit appropriate responses by use of a computer 22. <b>Page 11, line 20 - Page 12, line 2 and FIGS. 1 and 2.</b></p> <p>FIGS. 6-14 illustrate some examples of queries and interactive "pages" (i.e., Web pages where users may view and enter data by use of conventional browsing software) that may be presented by system 10 in order to gather</p>

	information from prospective sellers of event tickets. <b>Page 12, lines 3 - 6 and FIGS. 6-14.</b>
a second portion that presents said desired sale price and said description of said one or more goods to a buyer;	<p>Referring back to FIG. 2, after receiving and processing all of the seller information, the system 10 proceeds with the methodology 30 by presenting information to prospective buyers, as shown in functional block or step 34. Particularly, the system 10 presents information regarding goods that are for sale to prospective buyers. In the preferred embodiment of the invention, the information is communicated over a global computer network 20 to prospective buyers who are directed to or are visiting a Web site utilized to implement system 10.</p> <p><b>Page 20, line 19 - Page 21, line 2 and FIG. 2.</b></p> <p>Once a user has located an appropriate event (e.g., an event displayed on page 220), the user may select the event in order to view the tickets being offered for sale for the event. System 10 will then present one or more pages containing descriptions of the tickets being offered for sale. <b>Page 21, lines 9 - 12 and FIG. 8.</b></p> <p>FIG. 15 illustrates one non-limiting example of a "ticket description" page 290. As shown, the page 290 presents a plurality of listings for tickets for a desired game or event. Each listing includes a description of the following ticket attributes: location (e.g., section and row), sale method (e.g., fixed price or auction), current price, ending date (e.g., the last sale time), and quantity (e.g., number of tickets for sale). <b>Page 21, lines 13 - 17 and FIG. 15.</b></p>
a third portion that receives a purchase request, a geographic location of said buyer, and credit card information from said buyer;	<p>Referring back to FIG. 2, the system 10 proceeds with the methodology 30 by receiving a purchase request and information from the buyer, as shown in functional block or step 36. Particularly, when a buyer desires to purchase any of the presented goods, system 10 accepts the purchase request, and queries the buyer for information (e.g., name, address, city, state, zip code, and other buyer attribute data). <b>Page 22, lines 3 - 7 and FIGS. 1 and 2.</b></p>

	<p>In one non-limiting embodiment, the following series of pages may be used: a seat selection page that allows a user to select which of the seats the user desires to purchase; a delivery location options page that allows a user to enter a desired location for delivery (e.g., the user's home and/or work address, or will call); a delivery method options page that allows a user to select between various shipping options (e.g., conventional land/air courier, express courier, local courier or runner, overnight delivery, second day delivery, same day delivery); a payment options page that displays the total cost (e.g., ticket and delivery cost) and allows a user to select a method of payment (e.g., the type and number of a credit or debit card); and a confirmation page that allows a user to view a summary of the foregoing information, including a description of the tickets, delivery method, delivery location, payment amount, and method of payment.</p> <p><b>Page 22, line 19 – Page 23, line 8 and FIGS. 1 and 2.</b></p>
<p>a fourth portion that provides financial logistics including authorizing and charging a credit card of said buyer and providing funds to said seller; and</p>	<p>In step 38, the system 10 automatically arranges and/or provides for all of the necessary financial logistics for the sale of goods to the buyer. In the preferred embodiment of the invention, the system 10 communicates and/or integrates with financial or payment service providers by use of global computer network 20 in order to provide the financial logistics for the sales transaction. Flow diagram 50 of FIG. 3 illustrates an example of a method of providing payment processing or financial logistics in accordance with a preferred embodiment of the invention. Briefly, methodology 50 is executed as follows: the system 10 authorizes the sale amount on the buyer's credit card in functional block or step 52; notifies the seller of the proposed purchase and receives seller confirmation in functional block or step 54; charges the buyer's credit card in functional block or step 56; collects funds from the credit card transaction in functional block or step 58;</p>

	and deducts a fee and transfers the remaining amount of the sale to the seller in functional block or step 60. <b>Page 26, lines 3 - 14 and FIGS. 1-3.</b>
a fifth portion that provides shipping logistics, including arranging for shipping said one or more goods from said seller to said buyer;	Referring back to FIG. 2, the system 10 proceeds to automatically arrange and/or facilitate the logistics for the delivery of goods to the buyer, as shown in step 40. In the preferred embodiment of the invention, the system 10 communicates with several couriers by use of global computer network 20 in order to provide the shipping logistics for the sales transaction. Flow diagram 70 of FIG. 4 illustrates an example of a method of providing shipping logistics in accordance with a preferred embodiment of the invention. Briefly, the methodology 70 is executed as follows: the system 10 reviews the shipping option selected by the buyer and information from the seller (e.g., the location of the seller or goods) in functional block or step 72; provides the seller with one or more pickup and drop-off options in functional block or step 74; and communicates information to the selected courier and buyer in functional block or step 76. <b>Page 27, lines 16 - Page 28, line 3 and FIGS. 1, 2 and 4.</b>
wherein available shipping options that permit said one or more goods to reach said buyer from the geographic location of said one or more goods prior to the expiration time are automatically provided to said buyer as a function of shipping logistics associated with said one or more goods determined from said expiration time associated with said one or more goods, said geographic location of said one or more goods received from said seller, said geographic location of said buyer received from said buyer, and said point of last delivery.	Finally, in functional block or step 440, system 10 obtains all shipping options, based upon the day of the goods expire, time remaining, the location of the goods, the location of the buyer, and the point of last delivery. These represent shipping options that will ensure that the goods can be delivered either to the buyer or to the point of last delivery before the goods expire. In the preferred embodiment, system 10 is electronically integrated with and/or communicatively coupled to the operating systems of a plurality of shipping couriers, such as conventional air/land couriers, express couriers, and local couriers or "runners." Alternatively, system 10 may include all relevant information, concerning the couriers' respective shipping capabilities and terms, in one or more databases or tables that can be selectively queried in order to obtain the

	<p>available shipping options. System 10 queries these systems/databases to determine which couriers can execute the delivery within the time remaining before the goods expire, at which locations the deliveries can be made (e.g., at the buyer's location and/or at the point of last delivery), by which methods the couriers can perform the deliveries (e.g., two day, one day, overnight or same day delivery), and the cost of each shipping option. System 10 then presents some or all of the shipping options to the buyer. In the preferred embodiment, system 10 presents a list containing the identity of the couriers, the available shipping methods (e.g., two day, one day, overnight, same day) for each courier, and the associated cost of each shipping option.</p> <p><b>Page 24, lines 1 – 18 and FIG. 19.</b></p>
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Support for the claimed subject matter defined in independent claim 25 is found at least in the portions of the specification and drawings as follows.

<b>Claim 25</b>	<b>Specification and Figures</b>
<p>A computer-implemented method for providing logistics for a sale of goods without requiring interaction between a seller and a buyer, comprising the steps of:</p>	<p>The operational flow diagram 80 of FIG. 5 provides an illustration of the "double blind" nature of the preferred embodiment of the present invention. As shown in diagram 80, system 10 may provide logistics for a complete ticket-sale transaction, without interaction between buyer and seller (i.e., system 10 facilitates the entire ticket-sale transaction without requiring any interaction between a seller 82 and a buyer 84). Particularly, system 10 effectively isolates the seller's participation in the transaction (e.g., steps 86-92) from the buyer's participation in the transaction (e.g., steps 94-100). <b>Page 31, lines 6 - 12 and FIG. 5.</b></p>
<p>receiving information at a computer system from a computer of a seller regarding certain goods that said seller desires to sell;</p>	<p>The method employed by the present invention to provide the "double blind" logistics may include receiving information from a seller regarding certain goods that the seller desires to sell. <b>Page 30, line 19 - Page 31, line 5.</b></p> <p>In step 86, the seller accesses system 10 in a</p>

	<p>conventional manner, such as through a Web site implementing system 10. The seller navigates through the site and locates the event for which the seller has tickets. After the seller selects the event, the system 10 requires the seller to register and login, as shown in step 88. The system 10 also receives a description of the tickets from the seller and confirms the proposed sale.</p> <p><b>Page 31, lines 14 - 18 and FIG. 5.</b></p>
providing said information from said computer system to a computer of at least one prospective buyer regarding said certain goods;	<p>The method employed by the present invention to provide the "double blind" logistics may include providing information to prospective buyers regarding the certain goods that are for sale. <b>Page 30, line 19 - Page 31, line 5.</b></p> <p>The buyer's participation in the transaction commences when the buyer accesses the system and browses (or searches) for tickets to purchase, as shown in step 94.</p> <p><b>Page 31, lines 1 - 2 and FIG. 5.</b></p>
receiving a purchase request at said computer system for said certain goods from a buyer;	<p>The method employed by the present invention to provide the "double blind" logistics may include receiving a purchase request from a buyer for the certain goods.</p> <p><b>Page 30, line 19 - Page 31, line 5.</b></p> <p>In step 96, the buyer selects certain tickets to purchase. <b>Page 31, lines 1 - 2 and FIG. 5.</b></p>
confirming said buyer's ability to pay for said goods;	<p>The method employed by the present invention to provide the "double blind" logistics may include confirming the buyer's financial ability to complete the sale or to pay for the goods (e.g., authorizing the buyer's credit card).</p> <p><b>Page 30, line 19 - Page 31, line 5.</b></p> <p>In step 96, the system 10 authorizes the buyer's credit card for the amount of the tickets. <b>Page 32, lines 2 - 4 and FIG. 5.</b></p>
arranging for said certain goods to be transferred from said seller to said buyer;	<p>The method employed by the present invention to provide the "double blind" logistics may include arranging for the certain goods to be transferred from the seller to the buyer. <b>Page 30, line 19 - Page 31, line 5.</b></p> <p>The system provides the buyer with delivery</p>

	tracking information in step 98. <b>Page 32, lines 4 - 6 and FIG. 5.</b>
receiving payment from said buyer;	<p>The method employed by the present invention to provide the "double blind" logistics may include receiving payment from the buyer (e.g., charging the buyer's credit card). <b>Page 30, line 19 – Page 31, line 5.</b></p> <p>Upon receiving confirmation from the seller, the system charges the buyer's credit card in step 98. <b>Page 32, lines 4 - 6 and FIG. 5.</b></p>
confirming that said certain goods have been received by said buyer; and	<p>The method employed by the present invention to provide the "double blind" logistics may include confirming that the certain goods have been received by the buyer. <b>Page 30, line 19 - Page 31, line 5.</b></p> <p>In step 100 the buyer receives the tickets and is queried for feedback regarding the seller. <b>Page 32, lines 6 - 7 and FIG. 5.</b></p>
providing at least a portion of said received payment to said seller;	<p>The method employed by the present invention to provide the "double blind" logistics may include providing payment to the seller, once receipt has been confirmed. <b>Page 30, line 19 - Page 31, line 5.</b></p> <p>Once the delivery of the tickets has been completed, system 10 provides payment to the seller (e.g., by check or electronic wire) minus an operating fee, as shown in step 92. <b>Page 31, lines 21 - 23 and FIG. 5.</b></p>
wherein said logistics are provided to said seller and said buyer via an automated system wherein identities of said seller and said buyer are maintained confidential from one another.	<p>The system and method of the present invention may be implemented in a "double blind" manner to enable a third party (i.e., the operator of the system) to manage a transaction for the sale of goods between a seller and a remote buyer, including performing all necessary financial and shipping logistics, while maintaining the identity of the transacting parties (i.e., buyer and seller) confidential from one another. <b>Page 30, lines 13-18 and FIG. 5.</b></p> <p>As illustrated by block 102, system 10 controls and/or facilitates the entire sale and purchase process, and serves as an intermediary between</p>

	<p>the buyer and seller, such that the buyer and seller have no direct interaction (e.g., the identity of the parties can remain concealed from one another). In the preferred embodiment, system 10 is electronically integrated with systems of financial service providers and couriers, which operate in a cooperative manner with system 10 to provide the previously-described financial and shipping logistics. Since system 10 manages, provides, and facilitates all of the financial and shipping logistics, any issues that arise during the course of the transaction are managed and resolved by a single entity (i.e., the system and/or its operator). As such, the system 10 is desirable to both sellers and buyers, since it removes the need for individual sellers to provide and maintain their own logistics and customer support, and instills confidence and trust in prospective buyers. Moreover, since the entire transaction is managed by the system 10 (and/or its operator), the identity of the buyer need not be disclosed to the seller, and the identity of the seller need not be disclosed to the buyer. <b>Page 32, lines 8 -20 and FIG. 5.</b></p>
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Support for the claimed subject matter defined in independent claim 36 is found at least in the portions of the specification and drawings as follows.

<b>Claim 36</b>	<b>Specification and Figures</b>
A computer-implemented method of providing logistics for a sale of one or more event tickets, comprising the steps of:	The present invention provides a system and method for providing logistics for the sale and purchase of goods, such as event tickets. <b>Page 9, lines 11-12.</b>
providing a Web site via a computer system for completing said sale of said one or more event tickets without requiring interaction between a seller of said one or more event ticks and prospective buyers of said one or more event tickets;	In the preferred embodiment, the system and method are implemented on a global communications or computer network. Particularly, the system and method may comprise a "Web site," that may be implemented by at least one computer system or network (e.g., a plurality of cooperatively linked computers) that is operatively and communicatively coupled to a global computer network (e.g., the Internet) and that may be



	<p>selectively and remotely accessed by users of the network. <b>Page 9, lines 12-17.</b></p> <p>FIGS. 6-14 illustrate some examples of queries and interactive "pages" (i.e., Web pages where users may view and enter data by use of conventional browsing software) that may be presented by system 10 in order to gather information from prospective sellers of event tickets. <b>Page 12, lines 3 - 6 and FIGS. 6-14.</b></p> <p>The system 10 presents information regarding goods that are for sale to prospective buyers. In the preferred embodiment of the invention, the information is communicated over a global computer network 20 to prospective buyers who are directed to or are visiting a Web site utilized to implement system 10.  <b>Page 20, line 21 - Page 21, line 2 and FIG. 2.</b></p> <p>Once a user has located an appropriate event (e.g., an event displayed on page 220), the user may select the event in order to view the tickets being offered for sale for the event. System 10 will then present one or more pages containing descriptions of the tickets being offered for sale. <b>Page 21, lines 9 - 12 and FIG. 8.</b></p> <p>FIG. 15 illustrates one non-limiting example of a "ticket description" page 290. As shown, the page 290 presents a plurality of listings for tickets for a desired game or event. Each listing includes a description of the following ticket attributes: location (e.g., section and row), sale method (e.g., fixed price or auction), current price, ending date (e.g., the last sale time), and quantity (e.g., number of tickets for sale). <b>Page 21, lines 13 - 17 and FIG. 15.</b></p>
<p>receiving information at said computer system from a computer of said seller, the information received from the computer of said seller including attributes of at least one event ticket that said seller desires to sell and a geographic location of said at least one event ticket;</p>	<p>In functional block or step 32, system 10 receives information from sellers regarding the identity of the sellers, and a description and location of the goods that the sellers desire to sell. In the preferred embodiment of the invention, the data can be communicated over a global computer network 20 by prospective</p>

	<p>sellers who are selectively queried by system 10 (e.g., while visiting a Web site), and who transmit appropriate responses by use of a computer 22. <b>Page 11, line 20 - Page 12, line 2 and FIGS. 1 and 2.</b></p>
<p>obtaining from said attributes an expiration time associated with said at least one event ticket and a point of last delivery based upon a venue location of an event;</p>	<p>System 10 determines the "last sale time" by use of a geography and time-based strategy adapted for use with the sale of time-sensitive goods. FIG. 18 illustrates one non-limiting embodiment of a geography and time-based method or strategy 320, which may be implemented by system 10 to determine the last sale time. In functional block or step 330, the system 10 receives information regarding the location of the goods. In the foregoing event ticket example, the system 10 utilizes the seller's address (i.e., zip code) as a default setting for this location. In alternate embodiments, the system 10 may query and accept other locations (i.e., addresses or zip codes) that may represent the location of the goods, such as in situations where the seller's goods are not in the seller's possession. In functional block or step 340, system 10 receives information regarding the date and time that the goods will expire. For example, in the preferred embodiment, the system 10 obtains this "expiration time" from the description of the event, and more particularly, from the data describing the day and time that the event will commence. System 10 assigns a first numeric value to the expiration time, representative of the day and time the event will commence. <b>Page 16, lines 7-20.</b></p> <p>In functional block or step 350, system 10 receives information regarding the point of last delivery, which represents one or more locations to which the goods may be delivered at any time before the expiration date/time. In the preferred embodiment, system 10 may utilize the location of the venue as the point of last delivery, since the tickets can be delivered to the venue's will call on the day of the event, as a last resort. In alternate embodiments, where the point of last delivery is unknown,</p>

	<p>system 10 will assign a default value or range of values based upon the geographic area served by system 10, such as any location within a fixed geographic area (e.g., anywhere within the continental United States). <b>Page 16, line 21 to page 17, line 5.</b></p>
<p>determining a last sale time for said sale to end based upon said geographic location of said at least one event ticket, said point of last delivery, and said expiration time associated with said at least one event ticket;</p>	<p>System 10 also prompts the seller to enter the day and time that the sale will end. System 10 offers the seller several options (i.e., different days/times) for an end day and time for the sale, including a "last sale time" (i.e., the latest possible day and time that the sale may end, in order to permit the goods to reach their destination prior to expiration). See <b>Page 16, lines 3-6 and FIG. 1.</b></p> <p>System 10 determines the "last sale time" by use of a geography and time-based strategy adapted for use with the sale of time-sensitive goods. FIG. 18 illustrates one non-limiting embodiment of a geography and time-based method or strategy 320, which may be implemented by system 10 to determine the last sale time. See <b>Page 16, lines 7-10 and FIGS. 1 and 18.</b></p> <p>In functional block or step 330, the system 10 receives information regarding the location of the goods. See <b>Page 16, lines 10-11 and FIG. 18.</b></p> <p>In functional block or step 340, system 10 receives information regarding the date and time that the goods will expire. See <b>Page 16, lines 15-16 and FIG. 18.</b></p> <p>In functional block or step 350, system 10 receives information regarding the point of last delivery, which represents one or more locations to which the goods may be delivered at any time before the expiration date/time. See <b>Page 16, lines 21-23 and FIG. 18.</b></p> <p>In functional block or step 360, system 10 reviews all delivery options to determine a time required for delivery, based upon the</p>

	<p>location of the goods and the point of last delivery. See <b>Page 17, lines 6-7 and FIG. 18.</b></p> <p>Finally, in functional block or step 370, system 10 determines the last sale time by use of the expiration time and the time required for delivery. See <b>Page 18, lines 3-4 and FIG. 18.</b></p> <p>Once the last sale time is determined, system 10 will allow the seller to choose between the "last sale time" and a plurality of other "earlier" options, as shown in page 260 of FIG. 12. See <b>Page 18, lines 13-15 and FIG. 12.</b></p>
presenting said at least one event ticket for sale to prospective buyers, by use of said Web site, until said at least one event ticket is sold or said last sale time passes;	<p>FIG. 15 illustrates one non-limiting example of a "ticket description" page 290. As shown, the page 290 presents a plurality of listings for tickets for a desired game or event. Each listing includes a description of the following ticket attributes: location (e.g., section and row), sale method (e.g., fixed price or auction), current price, ending date (e.g., the last sale time), and quantity (e.g., number of tickets for sale). <b>Page 21, lines 13 - 17 and FIG. 15.</b></p>
receiving information at said computer system from a computer of a buyer, the information received from the computer of said buyer including a purchase request for said at least one event ticket and a geographic location of said buyer;	<p>Referring back to FIG. 2, the system 10 proceeds with the methodology 30 by receiving a purchase request and information from the buyer, as shown in functional block or step 36. Particularly, when a buyer desires to purchase any of the presented goods, system 10 accepts the purchase request, and queries the buyer for information (e.g., name, address, city, state, zip code, and other buyer attribute data). <b>Page 22, lines 3 - 7 and FIGS. 1 and 2.</b></p> <p>A seat selection page allows a user to select which of the seats the user desires to purchase. <b>Page 22, lines 22 - 23.</b></p>
providing at least one shipping option to the computer of said buyer for selection by said buyer, said at least one shipping option determined by said computer system based on said expiration time associated with said at least one event ticket, said geographic location of said at least one event ticket received from the computer of said seller, said geographic location of said buyer received from the	<p>A delivery method options page allows a user to select between various shipping options (e.g., conventional land/air courier, express courier, local courier or runner, overnight delivery, second day delivery, same day delivery). <b>Page 23, lines 1 - 4.</b></p> <p>Finally, in functional block or step 440, system 10 obtains all shipping options, based upon the</p>

<p>computer of said buyer, and said point of last delivery;</p>	<p>day of the goods expire, time remaining, the location of the goods, the location of the buyer, and the point of last delivery. These represent shipping options that will ensure that the goods can be delivered either to the buyer or to the point of last delivery before the goods expire. In the preferred embodiment, system 10 is electronically integrated with and/or communicatively coupled to the operating systems of a plurality of shipping couriers, such as conventional air/land couriers, express couriers, and local couriers or "runners." Alternatively, system 10 may include all relevant information, concerning the couriers' respective shipping capabilities and terms, in one or more databases or tables that can be selectively queried in order to obtain the available shipping options. System 10 queries these systems/databases to determine which couriers can execute the delivery within the time remaining before the goods expire, at which locations the deliveries can be made (e.g., at the buyer's location and/or at the point of last delivery), by which methods the couriers can perform the deliveries (e.g., two day, one day, overnight or same day delivery), and the cost of each shipping option. System 10 then presents some or all of the shipping options to the buyer. In the preferred embodiment, system 10 presents a list containing the identity of the couriers, the available shipping methods (e.g., two day, one day, overnight, same day) for each courier, and the associated cost of each shipping option. <b>Page 24, lines 1 – 18 and FIG. 19.</b></p>
<p>receiving an associated selected shipping option from said buyer;</p>	<p>The buyer may then select a desired courier and shipping method. <b>Page 24, line 19.</b></p>
<p>querying said buyer for information regarding a credit card to pay for said at least one event ticket;</p>	<p>A payment options page displays the total cost (e.g., ticket and delivery cost) and allows a user to select a method of payment (e.g., the type and number of a credit or debit card). <b>Page 23, lines 4 - 5.</b></p>
<p>authorizing the credit card of said buyer for an amount of sale;</p>	<p>The method employed by the present invention may include confirming the buyer's financial ability to complete the sale or to pay for the goods (e.g., authorizing the buyer's credit</p>

	<p>card).</p> <p><b>Page 30, line 19 - Page 31, line 5.</b></p> <p>In step 96, the system 10 authorizes the buyer's credit card for the amount of the tickets. <b>Page 32, lines 2 - 4 and FIG. 5.</b></p>
<p>arranging for a courier to receive said at least one event ticket from said seller and to deliver said at least one event ticket to said buyer or to said point of last delivery, according to said selected shipping option;</p>	<p>Upon the occurrence of a triggering event, system 10 will provide the seller with several courier "pickup" options, representing dates, times and locations at which a system-selected courier can retrieve the tickets from the seller when they are sold. In the preferred embodiment, the system 10 will present the user with several pickup days, up to and including the day of the calculated last sale time.</p> <p>A user may then select one or more dates, times and locations for courier pickup. FIG. 14 illustrates one non-limiting example of a page 280 for acquiring the pickup information. See <b>Page 19, lines 14-22 and FIG. 14.</b></p>
<p>charging said credit card of said buyer for said amount of sale;</p>	<p>Upon receiving confirmation from the seller, the system charges the buyer's credit card in step 98. <b>Page 32, lines 4 - 6 and FIG. 5.</b></p>
<p>receiving said amount of sale; and</p>	<p>The method employed by the present invention may include receiving payment from the buyer (e.g., charging the buyer's credit card). <b>Page 30, line 19 - Page 31, line 5.</b></p>
<p>providing at least a portion of said amount of sale to said seller upon delivery of said at least one event ticket to said buyer.</p>	<p>The method employed by the present invention may include providing payment to the seller, once receipt has been confirmed. <b>Page 30, line 19 - Page 31, line 5.</b></p> <p>Once the delivery of the tickets has been completed, system 10 provides payment to the seller (e.g., by check or electronic wire) minus an operating fee, as shown in step 92. <b>Page 31, lines 21 - 23 and FIG. 5.</b></p>

Support for the claimed subject matter defined in independent claim 40 is found at least in the portions of the specification and drawings as follows.

Claim 40	Specification and Figures
A computer-implemented method of providing logistics for a sale of event tickets, comprising the steps of:	The present invention provides a system and method for providing logistics for the sale and purchase of goods, such as event tickets. <b>Page 9, lines 11-12.</b>
providing a Web site via a computer system for receiving information from and presenting information to prospective sellers and buyers of event tickets;	<p>In the preferred embodiment, the system and method are implemented on a global communications or computer network. Particularly, the system and method may comprise a "Web site," that may be implemented by at least one computer system or network (e.g., a plurality of cooperatively linked computers) that is operatively and communicatively coupled to a global computer network (e.g., the Internet) and that may be selectively and remotely accessed by users of the network. <b>Page 9, lines 12-17.</b></p> <p>FIGS. 6-14 illustrate some examples of queries and interactive "pages" (i.e., Web pages where users may view and enter data by use of conventional browsing software) that may be presented by system 10 in order to gather information from prospective sellers of event tickets. <b>Page 12, lines 3 - 6 and FIGS. 6-14.</b></p> <p>The system 10 presents information regarding goods that are for sale to prospective buyers. In the preferred embodiment of the invention, the information is communicated over a global computer network 20 to prospective buyers who are directed to or are visiting a Web site utilized to implement system 10. <b>Page 20, line 21 - Page 21, line 2 and FIG. 2.</b> Once a user has located an appropriate event (e.g., an event displayed on page 220), the user may select the event in order to view the tickets being offered for sale for the event. System 10 will then present one or more pages containing descriptions of the tickets being offered for sale. <b>Page 21, lines 9 - 12 and FIG. 8.</b></p>

	FIG. 15 illustrates one non-limiting example of a "ticket description" page 290. As shown, the page 290 presents a plurality of listings for tickets for a desired game or event. Each listing includes a description of the following ticket attributes: location (e.g., section and row), sale method (e.g., fixed price or auction), current price, ending date (e.g., the last sale time), and quantity (e.g., number of tickets for sale). <b>Page 21, lines 13 - 17 and FIG. 15.</b>
providing a seller an option for selling event tickets within a season ticket package;	In the preferred embodiment, a seller may also choose to sell tickets to a plurality of events within a season ticket package. Particularly, system 10 may be specially adapted to facilitate the sale of tickets within a season ticket package. <b>Page 20, lines 1 - 3.</b>
providing an interactive page on said Web site which automatically displays all events remaining in said season ticket package to said seller;	FIG. 17 illustrates a non-limiting example of a page 310 for selling tickets from a season ticket package. Once the data is entered, the system 10 will query the seller for pickup information (e.g., by use of page 280), and will confirm the proposed sales. In this manner, the present invention allows holders of season tickets to place some or all of their tickets for sale in a quick and simple manner. <b>Page 20, lines 14 - 18 and FIG. 17.</b>
allowing said seller to select any of said displayed events to place for sale, to enter sales information including a number of tickets for sale for each event, and a price per ticket for each event; and	Referring back to page 200 of FIG. 6, a user wishing to sell a plurality of tickets within a season ticket package can enter the name of the location (i.e., venue) or team providing the season ticket package. Once a seller enters this data, system 10 requires the user to register and login (e.g., by use of pages 230 and 240), and retrieves the relevant information regarding the description and location of the tickets (e.g., by use of pages 250, 260 and 270). System 10 then presents a page to the seller that displays a list of all remaining games or events in the season ticket package. System 10 determines the remaining games or events by searching a database or table within its memory containing all season ticket events, and selecting only those events which will occur after the present day. Each item in the list may include a box for selecting a particular game or event to sell, an area to enter the quantity of tickets that are for



	<p>sale for the particular game or event, and a desired price per ticket for the particular game or event. <b>Page 20, lines 3 - 14 and FIG. 6.</b></p>
<p>presenting said sales information to prospective buyers by use of said Web site;</p>	<p>The system 10 presents information regarding goods that are for sale to prospective buyers. In the preferred embodiment of the invention, the information is communicated over a global computer network 20 to prospective buyers who are directed to or are visiting a Web site utilized to implement system 10. <b>Page 20, line 21 - Page 21, line 2 and FIG. 2.</b></p> <p>Once a user has located an appropriate event (e.g., an event displayed on page 220), the user may select the event in order to view the tickets being offered for sale for the event. System 10 will then present one or more pages containing descriptions of the tickets being offered for sale. <b>Page 21, lines 9 - 12 and FIG. 8.</b></p> <p>FIG. 15 illustrates one non-limiting example of a "ticket description" page 290. As shown, the page 290 presents a plurality of listings for tickets for a desired game or event. Each listing includes a description of the following ticket attributes: location (e.g., section and row), sale method (e.g., fixed price or auction), current price, ending date (e.g., the last sale time), and quantity (e.g., number of tickets for sale). <b>Page 21, lines 13 - 17 and FIG. 15.</b></p>
<p>receiving information at said computer system from a computer of a seller, the information received from the computer of said seller including attributes of at least one event ticket that said seller desires to sell and a geographic location of said at least one event ticket;</p>	<p>In functional block or step 32, system 10 receives information from sellers regarding the identity of the sellers, and a description and location of the goods that the sellers desire to sell. In the preferred embodiment of the invention, the data can be communicated over a global computer network 20 by prospective sellers who are selectively queried by system 10 (e.g., while visiting a Web site), and who transmit appropriate responses by use of a computer 22. <b>Page 11, line 20 - Page 12, line 2 and FIGS. 1 and 2.</b></p>
<p>obtaining from said attributes an expiration time associated with said at least one event ticket and a point of last delivery based upon a</p>	<p>System 10 determines the "last sale time" by use of a geography and time-based strategy adapted for use with the sale of time-sensitive</p>

venue location of an event;	<p>goods. FIG. 18 illustrates one non-limiting embodiment of a geography and time-based method or strategy 320, which may be implemented by system 10 to determine the last sale time. In functional block or step 330, the system 10 receives information regarding the location of the goods. In the foregoing event ticket example, the system 10 utilizes the seller's address (i.e., zip code) as a default setting for this location. In alternate embodiments, the system 10 may query and accept other locations (i.e., addresses or zip codes) that may represent the location of the goods, such as in situations where the seller's goods are not in the seller's possession. In functional block or step 340, system 10 receives information regarding the date and time that the goods will expire. For example, in the preferred embodiment, the system 10 obtains this "expiration time" from the description of the event, and more particularly, from the data describing the day and time that the event will commence. System 10 assigns a first numeric value to the expiration time, representative of the day and time the event will commence. <b>Page 16, lines 7-20.</b></p> <p>In functional block or step 350, system 10 receives information regarding the point of last delivery, which represents one or more locations to which the goods may be delivered at any time before the expiration date/time. In the preferred embodiment, system 10 may utilize the location of the venue as the point of last delivery, since the tickets can be delivered to the venue's will call on the day of the event, as a last resort. In alternate embodiments, where the point of last delivery is unknown, system 10 will assign a default value or range of values based upon the geographic area served by system 10, such as any location within a fixed geographic area (e.g., anywhere within the continental United States). <b>Page 16, line 21 to page 17, line 5.</b></p>
determining a last sale time for said sale to end based upon said geographic location of said at	System 10 also prompts the seller to enter the day and time that the sale will end. System 10

<p>least one event ticket, said point of last delivery, and said expiration time associated with said at least one event ticket;</p>	<p>offers the seller several options (i.e., different days/times) for an end day and time for the sale, including a "last sale time" (i.e., the latest possible day and time that the sale may end, in order to permit the goods to reach their destination prior to expiration). See <b>Page 16, lines 3-6 and FIG. 1.</b></p> <p>System 10 determines the "last sale time" by use of a geography and time-based strategy adapted for use with the sale of time-sensitive goods. FIG. 18 illustrates one non-limiting embodiment of a geography and time-based method or strategy 320, which may be implemented by system 10 to determine the last sale time. See <b>Page 16, lines 7-10 and FIGS. 1 and 18.</b></p> <p>In functional block or step 330, the system 10 receives information regarding the location of the goods. See <b>Page 16, lines 10-11 and FIG. 18.</b></p> <p>In functional block or step 340, system 10 receives information regarding the date and time that the goods will expire. See <b>Page 16, lines 15-16 and FIG. 18.</b></p> <p>In functional block or step 350, system 10 receives information regarding the point of last delivery, which represents one or more locations to which the goods may be delivered at any time before the expiration date/time. See <b>Page 16, lines 21-23 and FIG. 18.</b></p> <p>In functional block or step 360, system 10 reviews all delivery options to determine a time required for delivery, based upon the location of the goods and the point of last delivery. See <b>Page 17, lines 6-7 and FIG. 18.</b></p> <p>Finally, in functional block or step 370, system 10 determines the last sale time by use of the expiration time and the time required for delivery. See <b>Page 18, lines 3-4 and FIG. 18.</b></p>
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	<p>Once the last sale time is determined, system 10 will allow the seller to choose between the "last sale time" and a plurality of other "earlier" options, as shown in page 260 of FIG. 12. See <b>Page 18, lines 13-15</b> and <b>FIG. 12</b>.</p>
<p>presenting said at least one event for sale to prospective buyers, by use of said Web site, until said at least one event ticket is sold or said last sale time passes;</p>	<p>FIG. 15 illustrates one non-limiting example of a "ticket description" page 290. As shown, the page 290 presents a plurality of listings for tickets for a desired game or event. Each listing includes a description of the following ticket attributes: location (e.g., section and row), sale method (e.g., fixed price or auction), current price, ending date (e.g., the last sale time), and quantity (e.g., number of tickets for sale). <b>Page 21, lines 13 - 17</b> and <b>FIG. 15</b>.</p>
<p>receiving information at said computer system from a computer of a buyer, the information received from the computer of said buyer including a purchase request for said at least one event ticket and a geographic location of said buyer;</p>	<p>Referring back to FIG. 2, the system 10 proceeds with the methodology 30 by receiving a purchase request and information from the buyer, as shown in functional block or step 36. Particularly, when a buyer desires to purchase any of the presented goods, system 10 accepts the purchase request, and queries the buyer for information (e.g., name, address, city, state, zip code, and other buyer attribute data). <b>Page 22, lines 3 – 7</b> and <b>FIGS. 1 and 2</b>.</p> <p>A seat selection page allows a user to select which of the seats the user desires to purchase. <b>Page 22, lines 22 - 23</b>.</p>
<p>providing at least one shipping option to the computer of said buyer for selection by said buyer, said at least one shipping option determined by said computer system based on said expiration time associated with said at least one event ticket, said geographic location of said at least one event ticket received from the computer of said seller, said geographic location of said buyer received from the computer of said buyer, and said point of last delivery;</p>	<p>A delivery method options page allows a user to select between various shipping options (e.g., conventional land/air courier, express courier, local courier or runner, overnight delivery, second day delivery, same day delivery). <b>Page 23, lines 1 - 4</b>.</p> <p>Finally, in functional block or step 440, system 10 obtains all shipping options, based upon the day of the goods expire, time remaining, the location of the goods, the location of the buyer, and the point of last delivery. These represent shipping options that will ensure that the goods can be delivered either to the buyer or to the point of last delivery before the goods expire. In the preferred embodiment, system 10 is electronically integrated with and/or</p>

	<p>communicatively coupled to the operating systems of a plurality of shipping couriers, such as conventional air/land couriers, express couriers, and local couriers or "runners." Alternatively, system 10 may include all relevant information, concerning the couriers' respective shipping capabilities and terms, in one or more databases or tables that can be selectively queried in order to obtain the available shipping options. System 10 queries these systems/databases to determine which couriers can execute the delivery within the time remaining before the goods expire, at which locations the deliveries can be made (e.g., at the buyer's location and/or at the point of last delivery), by which methods the couriers can perform the deliveries (e.g., two day, one day, overnight or same day delivery), and the cost of each shipping option. System 10 then presents some or all of the shipping options to the buyer. In the preferred embodiment, system 10 presents a list containing the identity of the couriers, the available shipping methods (e.g., two day, one day, overnight, same day) for each courier, and the associated cost of each shipping option. <b>Page 24, lines 1 – 18 and FIG. 19.</b></p>
receiving an associated selected shipping option from said buyer; and	<p>The buyer may then select a desired courier and shipping method. <b>Page 24, line 19.</b></p>
providing one or both of financial logistics and/or shipping logistics to a prospective buyer.	<p>Referring once again to FIG. 2, once the transaction has been confirmed by the buyer, system 10 proceeds with the methodology 30 by providing financial logistics, as shown in functional block or step 38, and by providing shipping logistics, as shown in functional block or step 40. <b>Page 25, lines 19 - 22 and FIGS. 1 and 2.</b></p> <p>In step 38, the system 10 automatically arranges and/or provides for all of the necessary financial logistics for the sale of goods to the buyer. <b>Page 26, lines 3 - 4 and FIGS. 1 and 2.</b></p> <p>Referring back to FIG. 2, the system 10 proceeds to automatically arrange and/or</p>

	facilitate the logistics for the delivery of goods to the buyer, as shown in step 40. <b>Page 27, lines 16 - 17 and FIGS. 1 and 2.</b>
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## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Whether claims 1-43 are unpatentable under 35 U.S.C. § 103(a) over United States Patent Number (USPN) 6,496,809 to Nakfoor (“Nakfoor”) in view of PCT Publication No. WO 00/46728 to Creasy (“Creasy”).

## **VII. ARGUMENT**

Claims 1-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakfoor in view of Creasy. Appellants respectfully traverse this rejection.

### **Claims 1-24**

Neither Nakfoor, Creasy, nor any proper combination of the two describes or suggests providing shipping logistics that include automated variation of shipping options that permit one or more goods to reach a remote buyer and that are presented to the buyer as a function of an expiration time associated with the one or more goods and a geography-based consideration determined by the system from the geographic location of the goods received from the seller, the geographic location of the buyer received from the buyer, and a point of last delivery, as recited in independent claim 1. Moreover, neither Nakfoor, Creasy, nor any proper combination of the two describes or suggests automatically providing available shipping options to a buyer as a function of shipping logistics associated with one or more goods determined from the expiration time associated with the one or more goods, the geographic location of the one or more goods received from the seller, the geographic location of the buyer received from the buyer, and a point of last delivery, as recited in independent claim 12.

Nakfoor is directed to a ticket exchange system in which a seller provides a quantity and price of a ticket and a buyer provides a bid quantity and a price and the system completes the transfer of the tickets from the seller to the buyer when the bid price and bid quantity equal the asking price and quantity. See Nakfoor at col. 1, line 59 to col. 2, line 5. Nakfoor explains that a person who wants to use the ticket exchange system enters a data center 2 available on the Internet to select an event to attend and purchase tickets for the event. See Nakfoor at col. 3, lines 30-50. A buyer advertises a bid price to purchase a ticket for a particular section at a venue and if a seller’s ask price equals the bid price, “a sale of a ticket is made.” See Nakfoor at col. 4, lines 25-34. Nakfoor explains that once a ticket is sold, the ticket is now owned by the buyer of

the ticket and the buyer can provide ownership information such as credit card number and cell phone number, to purchase the ticket. See Nakfoor at col. 5, lines 1-20.

However, as the Examiner appears to concede, Nakfoor lacks any discussion regarding shipping options to the buyer or presentation of any shipping options. Therefore, Nakfoor fails to describe or suggest the features of independent claims 1 and 12.

Realizing the deficiencies in Nakfoor, the Examiner cites Creasy as somehow describing providing shipping logistics. Applicant submits that although Creasy mentions that a shipping information page is provided to a customer/sender (as discussed below in greater detail), Creasy nevertheless fails to describe or suggest providing shipping logistics that include automated variation of shipping options and that are presented to a buyer as a function of an expiration time and a geography-based consideration.

Creasy relates to an Internet shipping system (ISS) 10 that is accessed by a customer who wants to place a delivery order for shipping a package to a recipient 18. See Creasy at page 5, lines 5-10; page 26, lines 1-9; and Fig. 1. Creasy's ISS 10 prompts a sender to provide information regarding the sender, the package to be delivered, and the recipient 18 and then the sender can be authorized to print a shipping label to process the package. See Creasy at page 28, lines 3-12. The sender begins the shipping process by logging in to the ISS 10 and the ISS 10 displays a SHIPPING INFORMATION page or screen 660 to the sender. See Creasy at page 78, lines 3-7 and Fig. 26A. If the sender decides to proceed with shipping, the sender can enter the "ship to" information, such as the name and address of the intended recipient, and also the "ship from" information such as the original address and return address. See Creasy at page 80, line 8 to page 82, line 5. If the ISS 10 determines that the entered addresses are acceptable addresses, the sender can then select a service type from a dropdown list 704. See Creasy at page 83, lines 3-10 and Fig. 26C. Creasy explains that the service types that can be used include "Next Day Air," "Next Day Air Saver," and "Worldwide Express Letter," for example.

However, while Creasy presents the sender with options for how to ship the package, Creasy never provides these options to a buyer of the goods. Additionally, Creasy does not provide for an automated variation of shipping options or suggest that the options are a function of expiration time or geography. Creasy lacks any description of such features. Indeed, Creasy merely explains that "the user selects the appropriate service types from a dropdown list 704" without any description of how items in the list 704 are populated.



It appears that the Examiner has completely ignored these features recited in claims 1 and 12 that relate to the shipping options and shipping logistics.

Appellants submit that Nakfoor and Creasy also fail to teach or suggest, either expressly or impliedly, the desirability of making the alleged modification to arrive at such features. For at least the reasons set forth above, Appellants request reconsideration and withdrawal of the obviousness rejection of independent claims 1 and 12.

Appellants submit that dependent claims 2-11 and 13-24 are allowable by virtue of their dependency from their respective independent claims for at least the reasons discussed above.

### **Claims 25-35**

Neither Nakfoor, Creasy, nor any proper combination of the two describes or suggests providing logistics for a sale of goods without requiring interaction between a seller and a buyer to the seller and the buyer through an automated system in which the identities of the seller and the buyer are maintained confidential from one another, as recited in independent claim 25.

Appellants initially submit that the Examiner has not adequately supported the conclusion of obviousness since the Examiner has failed to point out the above features in either Nakfoor or Creasy.

Moreover, there is no disclosure of logistics that are provided to the seller and the buyer through an automated system in which identities of the seller and the buyer are maintained confidential from one another in either Nakfoor or Creasy. Consequently, even if Nakfoor and Creasy could be combined, which Appellants do not admit is proper, such combination would not teach or suggest all of the features of independent claim 25.

Further, because the Examiner has failed to point out the location of these features, the Examiner has necessarily also failed to prove that it would be obvious to modify Nakfoor and/or Creasy to include all the recited features of independent claim 25. Therefore, Nakfoor and Creasy, whether taken alone or in combination with each other, are insufficient to establish obviousness under § 103(a) with respect to independent claim 25.

For at least the reasons set forth above, Appellants request reconsideration and withdrawal of the obviousness rejection of claims 25-35.

**Claims 36-43**

Neither Nakfoor, Creasy, nor any proper combination of the two describes or suggests providing at least one shipping option to a buyer for selection by the buyer, the at least one shipping option determined based on an expiration time associated with at least one event ticket to be shipped, the geographic location of the at least one event ticket received from a seller, the geographic location of the buyer received from the buyer, and a point of last delivery, as recited in independent claims 36 and 40.

Appellants submit that the features recited by independent claims 36 and 40 distinguish over the teachings of Nakfoor and Creasy for at least the reasons discussed above with respect to claims 1 and 12. For instance, there is no teaching or suggestion in either Creasy or Nakfoor of providing at least one shipping option to a computer of a buyer for selection by the buyer, the at least one shipping option determined based on an expiration time associated with the at least one event ticket, a geographic location of the at least one event ticket received from a computer of the seller, a geographic location of the buyer received from the buyer, and a point of last delivery. Further, regarding independent claim 40, Nakfoor and Creasy fail to teach or suggest interactive web pages for season tickets anywhere within their disclosures.

Consequently, even if Nakfoor and Creasy could be combined, which Appellants do not admit is proper, such combination would not teach or suggest all of the features of independent claims 36 or 40. The Examiner has failed to establish that it would have been obvious to modify Nakfoor and/or Creasy to include all the recited features of independent claims 36 or 40. Therefore, Appellants submit that Nakfoor and Creasy, whether taken alone or in combination with each other, are insufficient to establish obviousness under § 103(a) with respect to independent claims 36 or 40.

Appellants also submit that it would not have been obvious to combine the electronic ticketing system of Nakfoor with the package shipping system disclosed by Creasy. Namely, Nakfoor is directed exclusively towards an electronic ticketing system and does not disclose arranging for a courier to receive at least one event ticket from a seller and deliver the at least one event ticket to a buyer, according to a selected shipping option. Creasy also does not teach or suggest delivering tickets using a courier.

For at least the reasons set forth above, Appellants submit that independent claims 36 and 40 are allowable and that dependent claims 37-39 and 41-43 are also allowable by virtue of their

dependency from an allowable claim, as well as on their own merits. For at least the reasons set forth above, Appellants request reconsideration and withdrawal of the obviousness rejection of claims 36-43.

**Conclusion**

For at least the reasons set forth above, Appellants submit that the Examiner has failed to meet the burden of establishing a *prima facie* case of obviousness with respect to claims 1-43.

In view of the foregoing arguments, Appellants respectfully request the Board to overturn the § 103(a) rejections of claims 1-43.

Respectfully submitted,

/Robert V. Racunas/  
Robert V. Racunas, Reg. No. 43,027  
Under 37 CFR 1.34(a)

Dated: November 9, 2010  
RACUNAS LAW LLC  
C/O INTELLEVATE  
P.O. BOX 52050  
MINNEAPOLIS, MN 55402  
(724) 941-4804

## **VIII. CLAIMS APPENDIX**

1. A system for providing logistics for a sale of one or more goods, said system:
  - receiving information from a remote seller, the information from said remote seller providing a description of said one or more goods, a price of said one or more goods, and a geographic location of said one or more goods;
  - obtaining from the description of said one or more goods provided by said remote seller an expiration time associated with said one or more goods and a point of last delivery;
  - receiving information from a remote buyer, the information from said remote buyer providing a purchase request, a method of payment, and a geographic location of the buyer; and
  - providing financial logistics and shipping logistics for completing said sale of said one or more goods without requiring interaction between said remote buyer and said remote seller;
  - wherein said shipping logistics include automated variation of shipping options that permit said one or more goods to reach said remote buyer from the geographic location of said one or more goods prior to the expiration time and that are presented by said system to said remote buyer as a function of the expiration time associated with said one or more goods and a geography-based consideration determined by said system from the geographic location of said one or more goods received from said remote seller, the geographic location of said remote buyer received from said remote buyer, and the point of last delivery.
2. The system of claim 1 wherein said system receives the information from said remote seller and the information from said remote buyer over a communications network.
3. The system of claim 1 wherein said system determines a maximum amount of time required for said one or more goods to reach the point of last delivery by use of at least one geography-based and time-based strategy.
4. The system of claim 1 wherein said one or more goods are time-sensitive.
5. The system of claim 4 wherein said one or more goods are event tickets.

6. The system of claim 5 wherein said shipping logistics include generating a shipping label for shipping said event tickets from said remote seller to said remote buyer.
7. The system of claim 3 wherein said shipping logistics include arranging for a courier to receive said one or more goods from said remote seller and to deliver said one or more goods to said point of last delivery.
8. The system of claim 4 wherein said system utilizes said at least one geography-based and time-based strategy to provide said remote seller with a latest possible time for said sale to end.
9. The system of claim 8 wherein:  
said system lists said one or more goods for sale at the price provided by said remote seller, and  
said system reduces the price by a predetermined amount upon expiration of a predetermined time period.
10. The system of claim 8 wherein said system further utilizes said at least one geography-based and time-based strategy to provide said remote buyer with at least one option for shipping said one or more goods to said remote buyer with at least one courier.
11. The system of claim 1 wherein said financial logistics include authorizing an amount of sale on a credit card of said remote buyer, charging said credit card for said amount of sale, receiving said amount of sale, and transferring at least a portion of said amount of sale to said remote seller.
12. A computer system for providing logistics for a sale of one or more goods, said computer system executing a program stored in memory including computer-executable portions comprising:  
a first portion that receives information from a seller including a geographic location of said one or more goods, a desired sale price of said one or more goods, and description of said

one or more goods and that obtains from said description of said one or more goods provided by said seller an expiration time associated with said one or more goods and a point of last delivery;

a second portion that presents said desired sale price and said description of said one or more goods to a buyer;

a third portion that receives a purchase request, a geographic location of said buyer, and credit card information from said buyer;

a fourth portion that provides financial logistics including authorizing and charging a credit card of said buyer and providing funds to said seller; and

a fifth portion that provides shipping logistics including arranging for shipping said one or more goods from said seller to said buyer;

wherein available shipping options that permit said one or more goods to reach said buyer from the geographic location of said one or more goods prior to the expiration time are automatically provided to said buyer as a function of shipping logistics associated with said one or more goods determined from said expiration time associated with said one or more goods, said geographic location of said one or more goods received from said seller, said geographic location of said buyer received from said buyer, and said point of last delivery.

13. The system of claim 12 wherein said first, second and third portions each comprise at least one interactive Web page.

14. The system of claim 13 wherein said first portion determines a last sale time for said sale to end based upon said geographic location of said one or more goods received from said seller, said point of last delivery, and said expiration time associated with said one or more goods.

15. The system of claim 14 wherein said fourth portion receives confirmation from a said seller and charges said credit card of said buyer only after receiving said confirmation.

16. The system of claim 15 wherein said fifth portion determines a maximum amount of time required for said one or more goods to reach said point of last delivery.

17. The system of claim 16 wherein said fifth portion presents at least one shipping option for selection by said buyer for delivering said one or more goods to said point of last delivery via a courier.

18. The system of claim 17 wherein said fifth portion is integrated with a computer system of said courier.

19. The system of claim 12 wherein said second portion reduces said desired sale price by a predetermined amount upon expiration of a predetermined time period.

20. The system of claim 19 wherein said second portion reduces said desired sale price based upon market conditions.

21. The system of claim 12 wherein said one or more goods are time-sensitive.

22. The system of claim 21 wherein said one or more goods are event tickets for an event.

23. The system of claim 22 wherein said fifth portion generates a shipping label for shipping said event tickets from said seller to said buyer.

24. The system of claim 22 wherein said point of last delivery is a venue location of said event and said expiration time is a time of said event.

25. A computer-implemented method for providing logistics for a sale of goods without requiring interaction between a seller and a buyer, comprising the steps of:

receiving information at a computer system from a computer of a seller regarding certain goods that said seller desires to sell;

providing said information from said computer system to a computer of at least one prospective buyer regarding said certain goods;

receiving a purchase request at said computer system for said certain goods from a buyer;

confirming said buyer's ability to pay for said goods;

arranging for said certain goods to be transferred from said seller to said buyer; receiving payment from said buyer;  
confirming that said certain goods have been received by said buyer; and  
providing at least a portion of said received payment to said seller;  
wherein said logistics are provided to said seller and said buyer via an automated system wherein identities of said seller and said buyer are maintained confidential from one another.

26. The method of claim 26 wherein said certain goods are time-sensitive.
27. The method of claim 26 wherein said certain goods are event tickets.
28. The method of claim 27 wherein said event tickets are electronically transferred from said buyer to said seller.
29. The method of claim 27 wherein said event tickets are physically transferred from said buyer to said seller.
30. The method of claim 25 wherein said step of confirming said buyer's ability to pay for said goods includes authorizing a credit card of said buyer.
31. The method of claim 30 wherein said step of receiving payment from said buyer includes charging said credit card.
32. The method of claim 31 further comprising the step of: confirming said seller's ability to provide said certain goods prior to charging said credit card.
33. The method of claim 32 wherein said step of providing said information to at least one prospective buyer is performed by use of a Web site.
34. The method of claim 25 wherein said step of arranging for said certain goods to be transferred from said seller to said buyer includes determining a plurality of shipping options by



use of a geography and time-based strategy, and providing said plurality of shipping options to said buyer.

35. The method of claim 25 wherein each of said steps is performed without disclosing the identities of said buyer and said seller to one another.

36. A computer-implemented method of providing logistics for a sale of one or more event tickets, comprising the steps of:

providing a Web site via a computer system for completing said sale of said one or more event tickets without requiring interaction between a seller of said one or more event tickets and prospective buyers of said one or more event tickets;

receiving information at said computer system from a computer of a said seller, the information received from the computer of said seller including attributes of at least one event ticket that said seller desires to sell and a geographic location of said at least one event ticket;

obtaining from said attributes an expiration time associated with said at least one event ticket and a point of last delivery based upon a venue location of an event;

determining a last sale time for said sale to end based upon said geographic location of said at least one event ticket, said a point of last delivery, and a said expiration time associated with said at least one event ticket;

presenting said at least one event ticket for sale to prospective buyers, by use of said Web site, until said at least one event ticket is sold or said last sale time passes;

receiving information at said computer system from a computer of a buyer, the information received from the computer of said buyer including a purchase request for said at least one event ticket and a geographic location of said buyer;

providing at least one shipping option to the computer of said buyer for selection by said buyer, said at least one shipping option determined by said computer system based on said expiration time associated with said at least one event ticket, said geographic location of said at least one event ticket received from the computer of said seller, said geographic location of said buyer received from the computer of said buyer, and said point of last delivery;

receiving a selected shipping option from said buyer;

querying said buyer for information regarding a credit card to pay for said at least one event ticket;

authorizing the credit card of said buyer for an amount of sale;

arranging for a courier to receive said at least one event ticket from said seller and to deliver said at least one event ticket to said buyer or to said point of last delivery, according to said selected shipping option;

charging said credit card of said buyer for said amount of sale;

receiving said amount of sale; and

providing at least a portion of said amount of sale to said seller upon delivery of said at least one event ticket to said buyer.

37. The method of claim 36 further comprising the steps of: receiving confirmation that said seller can provide said at least one event ticket prior to charging said credit card of said buyer.

38. The method of claim 36 wherein said point of last delivery is determined to be the venue location of said event.

39. The method of claim 38 wherein said geographic location of said at least one event ticket is determined to be the location of said seller.

40. A computer-implemented method of providing logistics for a sale of event tickets, comprising the steps of:

providing a Web site via a computer system for receiving information from and presenting information to prospective sellers and buyers of event tickets;

providing a seller an option for selling event tickets within a season ticket package;

providing an interactive page on said Web site which automatically displays all events remaining in said season ticket package to said seller;

allowing said seller to select any of said displayed events to place for sale, to enter sales information including a number of tickets for sale for each event, and a price per ticket for each event; and

presenting said sales information to prospective buyers by use of said Web site;

receiving information at said computer system from a computer of a seller, the information received from the computer of said seller including attributes of at least one event ticket that said seller desires to sell and a geographic location of said at least one event ticket;

obtaining from said attributes an expiration time associated with said at least one event ticket and a point of last delivery based upon a venue location of an event;

determining a last sale time for said sale to end based upon said geographic location of said at least one event ticket, said a point of last delivery, and a said expiration time associated with said at least one event ticket;

presenting said at least one event for sale to prospective buyers, by use of said Web site, until said at least one event ticket is sold or said last sale time passes;

receiving information at said computer system from a computer of a buyer, the information received from the computer of said buyer including a purchase request for said at least one event ticket and a geographic location of said buyer;

providing at least one shipping option to the computer of said buyer for selection by said buyer, said at least one shipping option determined by said computer system based on said expiration time associated with said at least one event ticket, said geographic location of said at least one event ticket received from the computer of said seller, said geographic location of said buyer received from the computer of said buyer, and said point of last delivery;

receiving a selected shipping option from said buyer; and

providing one or both of financial logistics and/or shipping logistics to a prospective buyer.

41. The method of claim 36 further comprising the steps of: receiving a desired sale price for said at least one event ticket from said seller; receiving a minimum sale price for said at least one event ticket from said seller; and displaying a purchase price for said at least one event ticket to prospective buyers, said purchase price being initially equal to said desired sales sale price; and selectively reducing said displayed purchase price by a predetermined amount each time a predetermined time period expires until said at least one event ticket is sold or until said purchase price equals said minimum sale price.

42. The method of claim 36 further comprising the steps of: receiving a desired sale price for said at least one event ticket from said seller; and displaying a purchase price for said at least one event ticket to prospective buyers, said purchase price being initially equal to said desired sale price; and selectively varying said displayed purchase price based upon market conditions.

43. The method of claim 36 further comprising the steps of: determining a time remaining before said event tickets expire upon receiving said purchase request from said buyer; and determining said at least one shipping option based upon said time remaining before said event, and said location of said at least one event ticket.

**IX. EVIDENCE APPENDIX**

None

**X. RELATED PROCEEDINGS APPENDIX**

None